IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA SOUTHERN DIVISION No. 7:23-CV-1179-D

MARIAN ELIZABETH DUBAR,)
Plaintiff,)
v.	ORDER
TAO BRODY, et al.,)
Defendants.)

On July 24, 2023, Marian Elizabeth Dubar ("Dubar" or "plaintiff"), appearing <u>pro se</u>, filed a complaint [D.E. 1] and a motion to proceed in forma pauperis [D.E. 2]. Pursuant to 28 U.S.C. § 636(b)(1), the court referred the matter to United States Magistrate Judge Meyers for a memorandum and recommendation on Dubar's motion to proceed in forma pauperis and for frivolity review [D.E. 7]. On April 1, 2025, Magistrate Judge Meyers issued an order and memorandum and recommendation ("M&R") [D.E. 6]. In the order, Magistrate Judge Meyers granted Dubar's motion to proceed in forma pauperis and recommended that the court dismiss without prejudice Dubar's complaint. See id. at 1–10.

"The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge's report or specified proposed findings or recommendations to which objection is made." Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (cleaned up); see 28 U.S.C. § 636(b). Absent a timely objection, "a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Diamond, 416 F.3d at 315 (quotation omitted). If a party makes only general objections, de novo review is not required. See

Wells v. Shriners Hosp., 109 F.3d 198, 200 (4th Cir. 1997). In "order to preserve for appeal an issue in a magistrate judge's report, a party must object to the finding or recommendation on that issue with sufficient specificity so as reasonably to alert the district court of the true ground for the objection." Martin v. Duffy, 858 F.3d 239, 245 (4th Cir. 2017) (quotation omitted); see United

Neither party objected to the M&R. Therefore, the court reviews for clear error. The court has reviewed the M&R and the record. There is no clear error on the face of the record. See Diamond, 416 F.3d at 315.

In sum, the court ADOPTS the conclusions in the M&R [D.E. 8] and DISMISSES WITHOUT PREJUDICE Dubar's complaint [D.E. 1].

SO ORDERED. This 14 day of May, 2025.

States v. Midgette, 478 F.3d 616, 622 (4th Cir. 2007).

JAMES C. DEVER III
United States District Judge